

## Community resources

[Follow us on Twitter](#) [Check our Reddit](#) [Twitter this](#) [Digg this page](#) [Contact us on IRC](#)

*courage is contagious*

## Viewing cable 09MEXICO2759, MEXICO: NEW ATTORNEY GENERAL -- THE GOOD, THE BAD

If you are new to these pages, please read an introduction on the [structure of a cable](#) as well as how to [discuss them](#) with others. See also the [FAQs](#)

### Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

### Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#09MEXICO2759**.

Reference ID	Created	Released	Classification	Origin
<a href="#">09MEXICO2759</a>	<a href="#">2009-09-21 22:41</a>	<a href="#">2011-08-30 01:44</a>	<a href="#">CONFIDENTIAL</a>	<a href="#">Embassy Mexico</a>

Appears in these articles:

<http://wikileaks.jornada.com.mx/notas/eu-sospechaba-que-chavez-chavez-ayudo-a-narcos-en-chihuahua>

VZCZCXRO0804  
RR RUEHCD RUEHGD RUEHHO RUEHMC RUEHNG RUEHNL RUEHRD RUEHRS RUEHTM  
DE RUEHME #2759/01 2642241  
ZNY CCCCC ZZH  
R 212241Z SEP 09  
FM AMEMBASSY MEXICO  
TO RUEHC/SECSTATE WASHDC 8315  
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE  
RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS  
RHMFISS/DEPT OF JUSTICE WASHINGTON DC  
RUEHC/DEPT OF LABOR WASHINGTON DC  
RUEATRS/DEPT OF TREASURY WASHINGTON DC  
RUCPDO/DEPT OF COMMERCE WASHINGTON DC  
RHMFISS/CDR USSOUTHCOM MIAMI FL  
RHMFISS/HQ USNORTHCOM  
RUEAHLA/DEPT OF HOMELAND SECURITY  
RUEABND/DEA HQS WASHINGTON DC  
RHEHAAA/NSC WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 MEXICO 002759

SIPDIS

NSC FOR SENIOR DIRECTOR RESTREPO; DEPT FOR WHA DAS  
JACOBSON, MEX DIRECTOR LEE, D STAFF CUE, AND INR HOHMAN.

E.O. 12958: DECL: 09/08/2019

TAGS: [MX](#) [PGOV](#) [PHUM](#) [PINR](#) [PREL](#) [SNAR](#)

SUBJECT: MEXICO: NEW ATTORNEY GENERAL -- THE GOOD, THE BAD  
AND THE UGLY

MEXICO 00002759 001.2 OF 003

Classified By: Political Minister Counselor Gustavo Delgado.  
Reason: 1.4 (b),(d).

¶1. (C) Summary: President Calderon's decision to replace Mexican Attorney General Medina Mora could have far-reaching consequences: on prospects for judicial reform; on the GOM's ability to manage human rights' criticism; and on our efforts to move forward on an expanded Merida agenda. Calderon's choice of a party loyalist, lacking political heft and/or legal reputation and burdened with a controversial human rights record, has thrust Calderon into a political battle of his own making, raising the price of getting his candidate through the Senate at a time when he is already in a serious battle over his budget for FY10. That said, there is no way that Calderon will allow any Attorney General to back away from cooperating with the United States on the fight against narco traffickers especially when he needs our help to get results.

¶2. (C) The fight against narco traffickers and economic stability are the two core objectives of Calderon's administration. Without much forethought, Calderon handed the opposition the lever it did not have to attack him on his fight against drugs and to establish the rule of law. AG-designate Chavez is scheduled for committee hearings early next week. Questions continue to circulate about whether he will make it out of the Senate, though the press suggests he essentially already has the votes he needs. Some Senators say the confirmation process will be bruising but he'll get through. His predecessor tells us that he helped Calderon cut a deal to make sure he makes it. The reaction of the U.S. and Mexican human rights communities will be negative.  
End Summary

-----  
The Good  
-----

¶3. (C) A review of files from various U.S. law enforcement agencies reflect a generally positive impression of Chavez during his stint as the Attorney General of Chihuahua in the early 90's (1993-1996). Back then, Chavez worked closely with U.S. law enforcement and was a favorite of FBI, DEA and others in El Paso and at EPIC. He was considered pro-American and a trusted interlocutor and quickly developed a reputation as a low-key, steely prosecutor who had surprising success against the cartels in the early days of the fight against Mexican drug lords, when the legal and political terrain was extremely complicated. Former Attorney General Medina Mora also went out of his way to underscore Chavez's bonafides to the Ambassador: "He is a lawyer, a good one. I am not. I was a good public servant. I came out of intelligence. We are different people. He will bring the legal capacity that I did not have."

-----  
The Bad  
-----

¶4. (C) There are, however, reports that Chavez could have played both sides in his effort to make progress against the cartels. Current Chihuahua Attorney General Gonzalez, recently told us that Chavez' youth and inexperience -- he was the youngest Attorney General in Chihuahua's history -- led him to be easily influenced by others and to delegate control of sensitive investigations to local police commanders in the Chihuahua Attorney General's office (PGJ), at a time when police there were plagued by corruption. Chavez was also hindered by the unwillingness of then-Governor Francisco Barrio Chavez to provide sufficient financial support for the PGJ, which lacked resources to conduct even basic office functions, e.g., forensic expert

investigations, case filling, etc.

-----  
The Ugly  
-----

15. (C) The most damaging part of his early record relates to his prosecutorial neglect of a series of killings of young women in Chihuahua that came to light when he was the local Attorney General. Human rights groups both in Mexico and abroad have criticized him for his lackluster response to this criminal, and not fully resolved, femicide. Medina Mora said: "Did he do enough to investigate the femicides? In retrospect, no. But from the standards of the time, he acted the same way everyone else did. It was bad judgment, but you could make that a collective statement about Mexico." While some have attributed the murders to cartel thugs trolling for female victims, charges of alleged police complicity and investigatory foot-dragging continue to linger. The difficult local environment he faced in the early 90s puts the charges in context -- a few of our reports from "non-public sources" at that time also relate an episode of Chavez offering a "helpful hand" to certain cartel figures -- but none of it refutes charges of serious missteps.

-----  
The Why  
-----

16. (C) State Secretary for Public Security (SSP) Garcia Luna told us that even though Chavez was on the original list of five candidates, he was seen as a long shot overshadowed by front-runner Blake, the Baja California Prosecutor. He said he did not know Chavez well but he believed he could work well with him if he were confirmed. (Garcia Luna's constant feuding with Medina Mora has complicated our joint law enforcement efforts in the past.) He described Chavez as somewhat the opposite of outgoing AG Medina Mora: stronger as a jurist but weaker in the political skills required for working things through legal and political channels. Garcia Luna was uncertain that Chavez would make it through the Senate given the PRI's suspicion of his strong PAN credentials; the PRI, he told us, had suggested Interior Minister Gomez Mont for AG. Respected legal scholar and Director of the National Institute of Legal Studies (INACIPE) Gerardo Laveaga, described Chavez as a personal friend, who, he said, did not even want the job. He described Chavez as "plodding", unrenowned in the legal field and not "clever" enough to move legal reforms forward. Laveaga termed the baggage from Chihuahua as "poison" that would reinforce a view among many politicians that Chavez was not up to the judicial challenge, not the guy they would want to see leading critical legal efforts in the current environment.

17. (C) Well-placed PAN sources confirmed that Calderon had nominated Chavez to gain favor with a faction inside of the PAN led by Diego Fernandez de Cevallos, PAN's candidate for President in 1994 who also served in the Senate from 2002-06. Chavez currently works in Cevallos' law firm, mostly on commercial and civil cases, and served as his chief of staff during Cevallos' time in the Senate. One PAN contact conjectured conspiratorially that Calderon was using the nomination to gain favor with the Cevallos faction, but fully expected that the Senate would reject him; according to this source, Calderon would then nominate acting Attorney General Juan Miguel Alcantara.

18. (C) PRI leader in the Senate, Manlio Fabio Beltrones, confirmed earlier reports that the opposition had turned down front-runner Blake. Beltrones characterized him as a "political hack" who ran Calderon's campaign in Baja California with no legal background. "You would think the government would have consulted us before announcing a 'political unknown' like Chavez," he told the Ambassador. Beltrones described Chavez as a "nice boy" who stuck to his talking points but had no real vision. On confirmation he was ambiguous, noting strong opposition from the Democratic Revolutionary Party (PRD) and scant support in some PRI

quarters. Beltrones positioned himself to take whatever side of the Chavez vote seems convenient: "This is too important a post to leave vacant. The PRI would be abnegating its responsibilities if we just abstained. So I will try to get the votes, but it will be hard." No doubt Beltranes is asking a price to get this through. What that might be is still unclear. And if the political cost of doing that is too high, then Beltrones is giving himself (and the PRI) the space to position himself (and the party) as human rights advocates.

-----  
The When  
-----

¶9. (C) Chavez is scheduled to appear before the Justice and Constitutional Affairs Committees on 21 September. He must get through both in order to come up for a vote before the full Senate where he'll need a simple majority of those Senators present. PRD President Jesus Ortega told us that the PRD would vote in bloc against his confirmation. PRD Senator Torres Mercado noted, however, that there were limits to how long the AG nomination could be held up given that no party would want to look like they were being obstructionist on matters of national security. Beltrones predicted that whatever happens, it will be quick. Medina Mora predicted confirmation by the end of the week.

-----  
Implications for Calderon and the U.S.  
-----

¶10. (C) For Calderon, the Chavez nomination is a self-inflicted political headache. The internal vetting was poor, discussions on alternatives was limited to a narrow group, the government did not fully vet the options with the key power brokers, and Chavez himself was not well briefed or prepared to make his own case to legislators. PRI Senator Beltrones is a skilled back-room negotiator and Calderon will have to spend significant political capital to get Chavez through. Even then, the opposition will likely badger and bloody him through the process. Chavez is said not to have the legal or or political skills to make much headway on needed security agenda reforms. Progress on that front will require Calderon to engage personally or another agency, like the SSP, to push for the reforms as a way of enabling their success in the fight against organized crime.

¶11. (C) Still, there is no way that any candidate in the Attorney general's office will walk away from cooperation with the United States. Calderon knows that U.S. support in this area is critical to concrete progress and to certain degree his own political credibility. He will not tolerate any obstruction to investigations that make it harder to seize high-value targets and disrupt the cartels. That said, cooperation on day-to-day law-enforcement issues could become more complicated. Medina Mora consistently placed operational requirements ahead of procedural fine points. If another day was needed to complete a report or investigation before he took action on a case or investigation or appeal, he had no aversion to allowing the file to linger in his in-box. He was pragmatic about bureaucracy and used his position to aid our efforts. Our experience with his deputy, Alcantara, is quite the opposite.

¶12. (C) Most fundamentally, Chavez' confirmation will also present a difficult credibility challenge for Calderon on the human rights front. His Chihuahua baggage will make it harder for Calderon to get on the right side of this issue: criticism in the NGO community and skepticism about the government's resolve to address the problems will deepen. Not only will Calderon be under attack on the role of the military, his civil justice system will be the target of human rights critics as well. Mexicans across the border are spilt on whether Medina Mora should have been fired -- many said he had become ineffectual on the "big issues" -- but on the handling of Chavez the views of the Mexican elite are unanimous: questionable judgment, bad timing, and poor

execution.

Visit Mexico City's Classified Web Site at  
<http://www.state.sgov.gov/p/wha/mexicocity> and the North American  
Partnership Blog at <http://www.intelink.gov/communities/state/nap/>

PASCUAL